

A resident of Middletown, Anthony's passing has deeply affected the community. A 2003 graduate of Middletown High School, Anthony was the son of Emma Roberts and the late William Roberts, Jr. Friends, family, and school officials recalled Anthony Roberts as a bright young man who saw military service as a way to give something back to his country. He viewed the Marine Corps as an opportunity to get away from a small town, meet new people, and start a career.

Anthony always had a strong interest in the military. He was a member of Middletown High School's Air Force Junior ROTC program. His participation in that program enabled me to meet him and many of his fellow cadets several years ago when I visited their high school. Friends and family remember Anthony as standing extra tall after earning his Marine Corps uniform.

After graduating from school, Anthony underwent basic training at Camp Lejeune, NC, before being stationed at Camp Pendleton, CA. Anthony became a member of the 2nd Battalion, 4th Marine Regiment. He died in fighting around Ramadi.

Anthony was a remarkable and well-respected young soldier. His friends and family remember him as an honorable man. He enjoyed spending time in Philadelphia, writing rap music lyrics, reading automobile magazines, and playing computer games.

I rise today to commemorate Anthony, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss.

1LT ROBERT HENDERSON II

Mr. BUNNING. Mr. President, today I would like to take the opportunity to honor the service of 1LT Robert Henderson II of Alvaton, KY. His death while performing his duty to his country is a great loss to us all.

On April 17, 2004, LT Henderson was leading a convoy near Diwaniyah. As they were passing through, they were ambushed and LT Henderson was wounded. He later died at a field hospital. I offer my sincerest condolences to LT Henderson's family and loved ones.

His service with the Kentucky Army National Guard's 2123rd Transportation Company was exemplary and duly appreciated. Lieutenant Henderson, according to reports, showed bravery by continuing to drive his lead vehicle toward safety after he was wounded. As one of the U.S. Senators from Kentucky, I know that Lieutenant Henderson served as a fine example of what it means to be a true patriot and an American of the highest caliber.

We are humbled and honored by the sacrifice Lieutenant Henderson has made. His loss reminds us of the heavy cost exacted for our freedom. We must remember that the American way of life has been made possible by the bravery of men and women like Lieutenant

Henderson. When freedom has been challenged many like him have answered the call to arms. We must never forget that.

ARMY SERGEANT DAVID MCKEEVER

Mr. NELSON of Nebraska. Mr. President, SGT David McKeever was a soldier who fought honorably for his country. He joined the Army in 1997, right after graduation from South Park High School in South Buffalo, NY. Before going to Iraq to try to help keep peace, he served proudly in Bosnia. He just recently reenlisted to serve his country. He was also approved for a promotion from army specialist to the rank of sergeant just before his death. This well-deserved honor was given to him posthumously.

David had 15 days remaining before he would have left Iraq for Germany, and then return home. His family describes him as a dedicated soldier, proud American, and hero who was fully aware of the high cost of freedom.

SGT David McKeever will be greatly missed and our thoughts and prayers will be with his family and friends. He leaves behind a wife, a one-year-old son, his parents and his four sisters. As a nation, we are grateful to David McKeever and other soldiers like him who make the ultimate sacrifice so that others can live free.

#### BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through April 8, 2004—the last day that the Senate was in session before the recent recess. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is above the budget resolution by \$7.6 billion in budget authority and under the budget resolution by \$13 million in outlays in 2004. The current level for revenues is \$3.1 billion above the budget resolution in 2004.

Since my last report dated March 23, 2004, the Congress has cleared and the President has signed the following acts: the Welfare Reform Extension Act of 2004, Pub. L. 108-210; an act to reauthorize certain school lunch and child nutrition programs through June 30, 2004, Pub. L. 108-211; and, the Pension Funding Equity Act of 2004, Pub. L. 108-218. In addition the Congress has

cleared for the President's signature S. 2057, an act to require the Secretary of Defense to reimburse certain transportation expenses of members of the U.S. Air Force. These actions changed the level of budget authority, outlays or revenues for 2004.

I ask unanimous consent that the report, with its accompanying letter, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 19, 2004.

Hon. DON NICKLES,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2004 budget and are current through April 8, 2004 (the last day that the Senate was in session before the recent recess). This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

Since my last letter dated March 23, 2004, the Congress has cleared and the President has signed the following acts, which changed budget authority, outlays, or revenues for 2004:

The Welfare Reform Extension Act of 2004 (Public Law 108-210);

An act to reauthorize certain school lunch and child nutrition programs through June 30, 2004 (Public Law 108-211); and

The Pension Funding Equity Act of 2004 (Public Law 108-218).

In addition the Congress has cleared for the President's signature S. 2057, an act to require the Secretary of Defense to reimburse certain transportation expenses of members of the U.S. Air Force. Also, a correction was made to the final scoring of the Surface Transportation Extension Act of 2004 (Public Law 108-202), reducing the budget authority that had been scored for that legislation.

The effects of these actions are detailed in Table 2.

Sincerely,

DOUGLAS HOLTZ-EAKIN,  
Director.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF APRIL 8, 2004

[In billions of dollars]			
	Budget resolution	Current level <sup>1</sup>	Current level over/under (-) resolution
<b>ON-BUDGET</b>			
Budget Authority .....	1,873.5	1,881.1	7.6
Outlays .....	1,897.0	1,897.0	*
Revenues .....	1,331.0	1,334.1	3.1
<b>OFF-BUDGET</b>			
Social Security Outlays .....	380.4	380.4	0
Social Security Revenues .....	557.8	557.8	*

<sup>1</sup> Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Note.— \* = Less than \$50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF APRIL 8, 2004

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues .....	n.a.	n.a.	1,330,756
Permanents and other spending legislation <sup>1</sup> .....	1,117,131	1,077,938	n.a.
Appropriation legislation .....	1,148,942	1,179,843	n.a.
Offset receipts .....	-365,798	-365,798	n.a.
Total, enacted in previous sessions .....	1,900,275	1,891,983	1,330,756
Enacted this session:			
Surface Transportation Extension Act of 2004 (P.L. 108-202) .....	1,328	0	0
Social Security Protection Act of 2004 (P.L. 108-203) .....	685	685	0
Welfare Reform Extension Act of 2004 (P.L. 108-210) .....	107	58	0
An act to reauthorize certain school lunch and child nutrition programs through June 30, 2004 (P.L. 108-211) .....	6	6	0
Pension Funding Equity Act of 2004 (P.L. 108-218) .....	0	0	3,363
Total, enacted this session .....	2,126	749	3,363
Passed, pending signature:			
An act to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses (S. 2057) .....	13	7	0
Entitlements and mandates:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	-21,334	4,221	n.a.
Total Current Level <sup>1,2</sup> .....	1,881,080	1,896,960	1,334,119
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	7,621	n.a.	3,119
Current Level Under Budget Resolution .....	n.a.	13	n.a.

Notes.—n.a. = not applicable; P.L. = Public Law.

<sup>1</sup> Pursuant to section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes \$82,460 million in budget authority and \$36,644 million in outlays from previously enacted bills.<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

Source: Congressional Budget Office.

### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On October 3, 2002, a 17-year-old transgender woman, Gwen Araujo, was viciously killed and buried in a shallow grave near South Lake Tahoe. Gwen was beaten severely—with fists, canned goods and a metal skillet—then strangled to death. Before driving her to a remote location to be buried, the attackers wrapped her body in blankets and hit her in the head with a shovel to make sure she was dead.

After a confession to police by one of Gwen's attackers, her body was finally found 2 weeks later. Currently, three men—Michael Magidson, 23, and Jose Merel and Jason Cazares, both 24—stand trial for her murder. A fourth man was also charged with her murder but pled guilty to manslaughter in exchange for testifying against the others. Despite this confession and eyewitness testimony in this case, defense attorneys have suggested that Gwen's murder was a result of something the victim provoked because of her lifestyle choice. The defense has asserted that Gwen "deceived" her attackers. Once learning of her biological sex, it caused one defendant to become enraged "beyond reason," thereby resulting in her attack. One attorney has even claimed that no hate crime has been committed in this case.

Clearly, the murder of Gwen was motivated by hatred. I believe that the government's first duty is to defend its citizens, and to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become one of

substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

### 1139TH MILITARY POLICE COMPANY OF MOBERLY, MO

Mr. TALENT. Madam President, I rise today to express my appreciation for the service and the sacrifice of the service men and women of the 1139th Military Police Company of Moberly, MO, for their contributions to Operation Iraqi Freedom.

The 1139th was mobilized in January 2003, and served in Iraq from May to December 2003. Their missions included convey security, securing the flow of personnel and material to sustain the U.S. mission in Iraq; ensuring the security of fixed-site locations in Iraq, performing law enforcement and presence missions to maintain law and order, and to train Iraqi police as they prepare to assume an ever-greater share of the day-to-day duties of stabilizing the country.

Their efforts, and their willingness to leave their families and homes, to assist in the larger effort to stabilize and return Iraq to the family of freedom and peace-loving nations, says much regarding their understanding of the word service, and their appreciation for the obligations of citizenship.

The United States is a wealthy and powerful Nation, but it is the willingness of young men and women such as these that makes us great. In a dangerous world, they make the difference, both here and overseas. Their efforts will set men free. Their efforts will break the shackles of despotism. Their efforts will secure the safety of Americans here at home.

To the 65 service men and women of the 1139th, you have my respect and my heartfelt thanks for your service.

May God bless these fine young men and women and their families. And

may God bless the United States of America.

### REAUTHORIZE THE ASSAULT WEAPONS BAN

Mrs. FEINSTEIN. Mr. President, a little before noon 5 years ago today, Dylan Klebold and Eric Harris began a killing spree at Columbine High School that left a dozen of their fellow students and a teacher dead, and more than two dozen others wounded.

The Columbine incident was a wake up call to a nation awash with guns, and showed us all once again what one or two grievance killers or malcontents can do with powerful, semi-automatic assault weapons.

Klebold and Harris were troubled young men who chose, tragically, to take out their angst on fellow students.

Twenty or thirty years ago, that decision might have simply led to a fist fight during recess outside on the playground. But now, with the prevalence of high-capacity, high-powered firearms, that decision quickly led to the deaths of more than a dozen innocents, and then the two shooters themselves.

Using several long guns and a TEC-DC9 semi-automatic assault pistol, Klebold and Harris were able to move through their high school with impunity, firing shot after shot in rapid succession, and quickly ending the hopes and dreams of so many youngsters.

Nobody could take them down, because their weapons made them, for all intents and purposes, invulnerable.

And while Columbine was tragic, it was not unique.

Similar grievance killings have occurred across the nation, in every forum:

In a San Ysidro, CA McDonald's in 1984, when a gunman with an Uzi killed 21 and wounded 15 others.